

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

SPECTRUM BRANDS, INC.,

Defendant.

ORDER

15-cv-371-wmc

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The court rules as follows on the objections to deposition designations.

**PETER TAUBE**

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
18:23 – 20:6	19:22 – 20:6 – Objection – Irrelevant, Lack of personal knowledge	SUSTAINED
29:8 – 30:3	Objection – mischaracterizes testimony, Lack of Foundation, Lack of personal Knowledge, Speculation	OVERRULED as to 29:8-23, otherwise SUSTAINED
35:9:21	Objection – Lack of Foundation	OVERRULED
108:17 – 110:7	Objection - Hearsay	OVERRULED
147:10-24	147:10 – 147:20 – Objection – Hearsay, Lack of Foundation, Speculation, Lack of Personal Knowledge	SUSTAINED

**STUART SLUGH**

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
25:9-25	25:9—25:25: Objection, see Spectrum Brand's Motion <i>in Limine</i> No. 6, incorporated by reference.	SUSTAINED to the extent calls for legal conclusion; OVERRULED as to the witness's understanding

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
50:9 – 51:11	50:9-23 – Objection - Irrelevant, lack of personal knowledge	SUSTAINED as to 50:9-14, OVERRULED as to 50:15-23
57:3 – 59:14	59:3-6 Objection - Mischaracterizes testimony	OVERRULED
66:2 – 69:11	67:7-23; 68:22 – 69:11 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
69:12 – 73:5	71:15 – 73:5 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
73:17 – 74:21	74:20-21 – Objection - Mischaracterizes testimony  No objection to remainder	OVERRULED except to the truth of the matter asserted
75:21 – 78:8	76:25 – 77:17 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
86:18 – 88:14	88:4-14 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
88:18 – 89:23	89:10-23 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
90:3 – 91:7	90:3 – 91:3 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
95:1 – 98:6	Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.	OVERRULED except to the truth of the matter asserted
108:14 – 109:17	108:14 – 109:10 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident	OVERRULED except to the truth of the matter asserted

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
	reports incorporated herein by reference.  No objection to remainder	
109:20 – 110:6	109:20 – 110:6 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
115:5 – 117:17	115:5-15; 116:16-21 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
120:8 – 122:17	121:2 – 122:17 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted
124:21 – 126:3	125:11 – 126:3 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference. No objection to remainder	OVERRULED except to the truth of the matter asserted

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
131:5 – 133:22	132:3 – 133:2 Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
137:2 – 139:14	137:21 – 138:12; 138:21 – 139:5 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
140:23 – 142:24	141:18 – 142:8 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
153:22 – 156:14	154:16 – 155:5; 156:12-14 – Objection - Hearsay, lack of foundation, lack of personal knowledge, speculation; see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
156:22 – 157:7	Objection - Hearsay, lack of foundation, lack of personal	OVERRULED except to

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
	knowledge, speculation; see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.	the truth of the matter asserted
157:11 – 158:19	158:5-19 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
161:11 – 163:15	161:23 – 162:9 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
163:16 – 165:6	164:8-22 – Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.  No objection to remainder	OVERRULED except to the truth of the matter asserted
166:5 – 168:24	Objection - Hearsay, lack of foundation, lack of personal knowledge, see Motion in Limine #2 to exclude hearsay evidence contained within consumer incident reports incorporated herein by reference.	OVERRULED except to the truth of the matter asserted

<b>Government's Designations</b>	<b>Spectrum's Objections</b>	<b>Court Ruling</b>
	168:6-16 – Objection - Irrelevant	OVERRULED except to the truth of the matter asserted

Entered this 21st day of February, 2017.

BY THE COURT:

/s/

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WILLIAM M. CONLEY  
District Judge